

The Honorable Marry Jo Heston  
Chapter 13  
Date of Hearing: March 29, 2021  
Time of Hearing: 1:00 PM  
Hearing Location: Telephonic  
Response Due: March 22, 2021

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

IN RE:

BK Case No.: 19-42890-MJH

SARAH HOOVER,

Debtor.

Adv No. 20-04002 – MJH

SARAH HOOVER,

Plaintiff,

v.

Chapter: 13

DECLARATION OF CHRISTINA L HENRY  
IN SUPPPORT OF OPPOSITION TO  
MOTION FOR STAY PENDING APPEAL

QUALITY LOAN SERVICE CORPORATION  
OF WASHINGTON, PHH MORTGAGE  
SERVICES D/B/A PHH MORTGAGE  
SERVICES, HSBC BANK USA, N.A, AS  
TRUSTEE OF THE FIELDSTONE  
MORTGAGE INVESTMENT TRUST,  
SERIES 2006-2, NEW REZ, LLC, AND IH6  
PROPERTY WASHINGTON, L.P. D/B/A  
INVITATION HOMES,

Defendant.

I, Christina L Henry, hereby declare as follows:

1. I am an attorney for the Plaintiff in the above-referenced adversary proceeding  
and I have personal knowledge concerning all information herein.

DECLARATION OF CHRISTINA L HENRY IN SUPPORT OF  
OPPOSITION TO MOTION FOR STAY PENDING APPEAL - 15

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1           2.       On February 14, 2021, six days after the court's ruling on the cross motions for  
2 summary judgment, the Plaintiff's counsel initiated communications with all counsel for the  
3 defendants about how to implement the court's directive to undo the foreclosure sale of her  
4 Bonney Lake Property. *See* a true and correct copy of the email communications is attached  
5 hereto as Exhibit A.

6           3.       In response, on February 17, 2021, IH6 responded that it did not need to assist at  
7 all in implementing the order and thereafter has not participated in any further communication on  
8 the topic. *See* a true and correct copy of the email communications is attached hereto as Exhibit  
9 B.

10          4.       Finally, after almost a month, on February 13, 2021, QLS proposed some  
11 solutions to reverse the sale and drafted a stipulation to which Ms. Hoover's counsel agreed. In  
12 response to the proposed stipulation, PHH's counsel filed this motion for stay. Counsel for IH6  
13 did not respond at all. *See* a true and correct copy of the email communications (without  
14 attachments) is attached hereto as Exhibit C.

15          5.       The proposed stipulation and order drafted by counsel for QLS is attached hereto  
16 as Exhibit D.

17          6.       Additionally, on February 23, 2021, Plaintiff's counsel drafted and served Rule  
18 30(b)(1) deposition notices and written discovery on punitive damages to defendants HSBC,  
19 NewRez and PHH and requesting a time to meet and confer. *See* a true and correct copy of the  
20 email communications (without attachments) is attached hereto as Exhibit E.

21          7.       The proposed punitive discovery served on February 23, 2021 is attached hereto  
22 as Exhibit F (Notice of Depo for HSBC), Exhibit G (Notice of Depo for NewRez), Exhibit H  
23 (Notice of Depo for PHH), Exhibit I (Written Discovery for HSBC), Exhibit J (Written  
24 Discovery for NewRez), and Exhibit K (Written Discovery for PHH).

25          8.       PHH's counsel did not substantively respond to the service of punitive damages  
26 discovery until March 10, 2021 when the parties engaged in email discussions about the matter.  
27

1 See a true and correct copy of the email communications (without attachments) is attached hereto  
2 as Exhibit L.

3 9. Thereafter PHH and the Plaintiff's counsels held a discovery conference on  
4 March 15, 2021 to discuss the motion to stay and punitive damages, but they did not come to any  
5 resolutions.

6 10. Although Plaintiffs' counsel discussed not having all the rights to homeownership  
7 as a harm to Ms. Hoover should a stay go into place by delaying title being put back in her name,  
8 they did not at any time say that Ms. Hoover intended to sell her home while the case was on  
9 appeal.

10 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE  
11 OF WASHINGTON AND THE UNITED STATES THAT THE ABOVE IS TRUE AND  
12 CORRECT.

13 EXECUTED this March 19th, 2021 at Bothell, WA

14 /s/ Christina L Henry  
Christina L Henry